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4 **UNITED STATES DISTRICT COURT**
5 **DISTRICT OF NEVADA**

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7 KARL E. RISINGER,

8 Plaintiff,

9 v.

10 SOC LLC, et al.,

11 Defendants.
12

Case No. 2:12-cv-00063-MMD-BNW

**ORDER SETTING SETTLEMENT
CONFERENCE**

13 This matter was referred to the undersigned magistrate judge for a settlement conference.
14 (Order (ECF No. 367)). A settlement conference is hereby set for **Friday, October 4, 2019**.
15 Plaintiff must report to Magistrate Judge Weksler's chambers, Room 3071, Lloyd D. George
16 United States Courthouse, 333 Las Vegas Boulevard South, Las Vegas, Nevada, at **8:30 a.m.**
17 Defendants must report to Magistrate Judge Weksler's chambers at **9:30 a.m.**

18 Unless the court orders otherwise, the following individual(s) must be present in person
19 for the duration of the settlement conference:

- 20 1. An attorney of record who will be participating in the trial and who has full
21 authority to settle this case;
- 22 2. All parties appearing pro se;
- 23 3. All individual parties;
- 24 4. In the case of non-individual parties, an officer or representative with binding
25 authority to settle this matter up to the full amount of the claim or last demand made; and
- 26 5. If any party is subject to coverage by an insurance carrier, then a representative of
27 the insurance carrier with authority to settle this matter up to the full amount of the claim or last
28 demand.

1 A request for an exception to the foregoing personal attendance requirements must be
2 filed and served on all parties at least 14 days before the settlement conference.

3 **PREPARATION FOR SETTLEMENT CONFERENCE**

4 In preparation for the settlement conference, each party must submit a confidential
5 settlement conference statement for in camera review. The statement must contain the following:

- 6 1. A brief statement of the nature of the action.
- 7 2. A concise summary of the evidence that supports your theory of the case,
8 including the names of individuals disclosed pursuant to Rule 26(a)(1)(A)(i), the Rule
9 26(a)(1)(A)(iii) computation of damages, and the Rule 26(a)(1)(A)(iv) insurance information.
10 You must provide all information which documents or supports your damages claims. Copies of
11 medical records or treatment records need not be submitted but, rather, must be provided in a
12 table or summary format.
- 13 3. Attach to your statement any documents or exhibits that are relevant to key factual
14 or legal issues, including selected pages from deposition transcripts or responses to other
15 discovery requests.
- 16 4. An analysis of the key issues involved in the litigation. The analysis must include
17 a discussion of the strongest points in your case, both legal and factual, and a frank discussion of
18 the weakest points as well. The court expects you to present a thorough analysis of the key issues
19 and candid evaluation of the merits of your case.
- 20 5. Identify and explain any obstacles to settlement, e.g. medical liens, statutory caps,
21 or motions pending before the court.
- 22 6. The history of settlement discussions, if any, which have occurred in this case.
23 Provide any demands, offers, or offers of judgment that have been made and, if applicable, the
24 reasons they have been rejected. Attach a copy of all settlement correspondence, including all
25 written demands or offers and responses to the offers.

1 7. Provide the initial settlement proposal that will be presented at the settlement
2 conference with a justification for any monetary amount. The proposal must include any non-
3 monetary settlement terms that will be presented.

4 8. The parties are encouraged, but not required, to exchange non-confidential
5 portions of the settlement conference statements before the scheduled conference. The court has
6 found the exchange of statements beneficial for purposes of settlement discussion.

7 The settlement conference statements must be delivered to chambers by **4:00 p.m. on**
8 **Friday, September 27, 2019.** Do not serve a copy on opposing counsel. Do not deliver or mail
9 copies to the clerk's office.

10 The purpose of the statement is to assist the undersigned magistrate judge in preparing for
11 and conducting the settlement conference. To facilitate a meaningful conference, your utmost
12 candor in responding to all of the above-listed questions is required. The settlement conference
13 statement will remain confidential. If this case does not settle, the settlement conference
14 statement will not be disclosed to the judge who ultimately presides over the trial. Each statement
15 will be securely maintained in my chambers and will be destroyed following the conference.

16 Failure to comply with the requirements set forth in this order will subject the non-
17 compliant party to sanctions under Federal Rule of Civil Procedure 16(f).

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19 DATED: September 23, 2019

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22 BREND A WEKSLER
23 UNITED STATES MAGISTRATE JUDGE
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